

**AN ORDINANCE
BY COUNCILMEMBER HOWARD SHOOK**

AN ORDINANCE TO AMEND THE LAND USE ELEMENT OF THE CITY OF ATLANTA 2008 COMPREHENSIVE DEVELOPMENT PLAN (CDP) SO AS TO DESIGNATE PROPERTY LOCATED AT 1199 ROXBORO DRIVE TO THE SINGLE-FAMILY RESIDENTIAL LAND USE CLASSIFICATION; AND FOR OTHER PURPOSES.

WHEREAS, the property owner of 1199 Roxboro Drive, Atlanta, Ga. 30324 has requested the property be annexed from DeKalb County unincorporated into the corporate limits of the City of Atlanta; and

WHEREAS, the property is improved with a single-family residential dwelling; and

WHEREAS, the Bureau of Planning recommends that upon annexation the property be designated to the single-family residential (SFR) land use classification; and

WHEREAS, the City Council finds that the SFR land use classification is the appropriate classification for the property.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS
AS FOLLOWS:**

SECTION 1. That the City of Atlanta 2008 Comprehensive Development Plan (CDP) is hereby amended by changing the Land Use Element of said Plan so as to designate property at 1199 Roxboro Drive, Atlanta, Ga. 30324 to the Single-Family Residential land use classification.

Said property is more specifically shown on the attached map and described (attached legal) Exhibit 'A', which is hereby made a part of this ordinance.

SECTION 2. That all ordinances or parts of ordinances that are in conflict with this ordinance are hereby waived to the extent of the conflict.

Magnetic North

Roxborough Drive 50' R/W

94.0' to R/W
Woodside Road

94.0'
N 88°31'E 93.40'
N 75°32'40"

S 07°45'18"E 228.68'

N 15°31'11"E 217.30'
N 15°31'11"E 217.30'
N 15°31'11"E 217.30'
N 15°31'11"E 217.30'

Area 18,178.47 S.F.

78

77

S 74°05'25"W 70.00'

THIS SURVEY IS NOT LOCATED INSIDE AN UNDESIGNED FLOOD HAZARDOUS AREA
Survey For

Roy Bangers

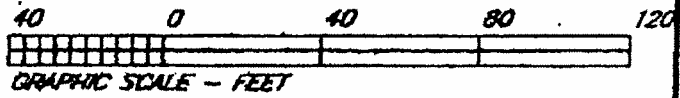
Land lot 8, 17th District Fulton County, Georgia, and
Land Lot 199, 18th District, DeKalb County Georgia

Date: 10-15-03 Scale 1"= 40'

DeKalb Surveys

Joseph C. King, Land Surveyor

Survey all surveys 1"= 16,000' or better.



Please return to: FERGUSON MCMANAMY ATTORNEYS AT LAW, LLC
100 ASHFORD CENTRE NORTH, SUITE 120
ATLANTA, GEORGIA 30338
File # 07-01-1197

Deed Book 20147 Ps 338
Filed and Recorded Jul-20-2007 11:53am
2007-0134172
(Multi-County)
Real Estate Transfer Tax \$750.00
Linda Carter
Clerk of Superior Court
DeKalb County, Georgia

STATE OF GEORGIA
COUNTY OF FULTON

WARRANTY DEED

Deed Book 45537 Pg 683
Filed and Recorded Aug-14-2007 02:03pm
2007-0233523
Real Estate Transfer Tax \$8.00
Cathelene Robinson
Clerk of Superior Court
Fulton County, Georgia

THIS INDENTURE made this 25th day of June, 2007 between

BRUCE T. KIDD AND KELLY A. KIDD

as party or parties of the first part, hereinafter called Grantor, and

TODD MOORE PHELAN AND ALICE T. PHELAN
as Joint Tenants With Right of Survivorship

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN DOLLARS and other good and valuable consideration (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following described property:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 199 OF THE 18TH DISTRICT OF DEKALB COUNTY, GEORGIA, AND IN LAND LOT 8, OF THE 17TH DISTRICT OF FULTON COUNTY, GEORGIA, BEING KNOWN AND DESIGNATED AS LOT 78 OF NORTH SIDE ESTATES SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 11, PAGE 13, DEKALB COUNTY RECORDS, AND PLAT BOOK 12, PAGE 54, FULTON COUNTY RECORDS, REFERENCE TO SAID PLATS OF SURVEY AND THE RECORD THEREOF BEING HEREBY MADE FOR A MORE COMPLETE LEGAL DESCRIPTION.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in **FEE SIMPLE**.

AND THE SAID Grantor will warrant and forever defend the right and title to the above-described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this first day and year first above written.

Signed, sealed and delivered in the presence of:

